

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CHARLES CARL,

Plaintiff,

v.

Civil Action No. 05-918-SLR

MBNA AMERICA BANK NA,

Defendant.

**CONSENT MOTION FOR EXTENSION  
OF DISPOSITIVE MOTIONS DEADLINE**

Defendant MBNA America Bank, N.A. (“Defendant”), through undersigned counsel and with the consent of Plaintiff, hereby moves for an extension of the deadline for the filing of motions for summary judgment. In support hereof, Defendant states as follows.

1. Pursuant to the current Scheduling Order motions for summary judgment must be filed on or before July 17, 2007. (*Docket No. 32 and entry dated February 13, 2007.*)

2. Just prior to the discovery deadline, Defendant filed a motion for leave to take the deposition of a certain individual beyond the discovery deadline due to the fact that the individual had been out on disability. (*Docket No. 37.*)<sup>1</sup> The motion was granted on June 7, 2007. (*Docket No. 38.*)

3. The individual to be disposed is now expected to return to work at the beginning of July 2007. Counsel are working to schedule the deposition in mid to late July, beyond the current summary judgment motion deadline.

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<sup>1</sup> Defendant also requested that Plaintiff be required to sign and return a release for certain medical records and that Defendant be allowed to subpoena those records beyond the discovery deadline upon receipt of Plaintiff’s executed release.

4. Accordingly, Defendant requests that the deadline for the filing of motions for summary judgment motions be extended to August 24, 2007, to allow the parties to complete the deposition and evaluate the case in advance of the deadline.

5. Plaintiff's counsel consents to the requested extension.

6. As neither a trial date nor a pre-trial deadline has been set, the requested extension will not affect any further deadlines in this case and will not prejudice the Court or either party.

WHEREFORE, Defendant respectfully requests that its Motion be granted and that the Court extend the deadline for filing summary judgment motions to and including August 24, 2007.

Respectfully submitted,

*/s/ Sheldon N. Sandler*

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Sheldon N. Sandler, Esquire (No. 245)  
Young Conaway Stargatt & Taylor, LLP  
The Brandywine Building, 17<sup>th</sup> Floor  
1000 West Street  
P.O. Box 391  
Wilmington, DE 19899-0391  
Telephone: (302) 571-6673  
Facsimile: (302) 576-3330  
Email: ssandler@ycst.com

and

*/s/ Elena D. Marcus*

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Elena D. Marcus, Esquire  
McGuireWoods LLP  
7 St. Paul Street, Suite 1000  
Baltimore, MD 21202  
Telephone: (410) 659-4400  
Facsimile: (410) 659-4547  
Email: emarcuss@mcguirewoods.com

Attorneys for Defendant

